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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 \* \* \*

10 VINCIANT JAMES WALTER )  
11 WHATLEY, IV, )  
12 )  
13 Plaintiff(s), )

2:07-cv-1696-RLH-LRL

13 vs. )

**ORDER**

14 CITY OF HENDERSON, *et al.*, )  
15 Defendant(s). )  
\_\_\_\_\_ )

16 Before this Court is the Findings and Recommendation (#10, filed July 27, 2009) of  
17 United States Magistrate Judge Lawrence R. Leavitt, entered regarding Plaintiff's failure to pay the  
18 appropriate filing fee or file a completed application in support of a request to proceed *in forma*  
19 *pauperis*. No objection was filed to Magistrate Judge Leavitt's Findings and Recommendation of  
20 United States Magistrate Judge in accordance with Local Rule IB 3-2 of the Rules of Practice of the  
21 United States District Court for the District of Nevada and the matter was submitted for consider-  
22 ation.

23 The court has conducted a *de novo* review of the record in this case in accordance  
24 with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that the Findings and  
25 Recommendation of Magistrate Judge Leavitt should be accepted and adopted.

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1 IT IS THEREFORE ORDERED that Magistrate Judge Leavitt's Findings and  
2 Recommendation (#10 is ACCEPTED and ADOPTED, and the case is dismissed.

3 Dated: August 24, 2009.

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6 **ROGER L. HUNT**  
7 Chief U.S. District Judge  
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